

REMARKS

Claims 1 and 2 continue to be in the case.

Claims 1 and 2 are being amended.

New claims 3 to 5 are being submitted.

New claim 3 is based on the language of claim 1.

New claim 4 is based on the language of claim 2.

New claim 5 is based on the language of claim 1.

Claims 1-2 stood pending and currently under examination.

Acknowledgment is made of applicant's claim for foreign priority based on application filed in Poland on October 15, 2002. It is noted, however, that applicant has not filed a certified copy of the 356650 application as required by 35 U. S. C. 119(b).

Applicant's attorney thanks the Examiner for kindly reminding of the need to submit the priority document.

The Office Action refers to the Specification.

The disclosure stands objected to because of the following informalities: on page 7, the last line, the term "epidemtno" should be corrected. Appropriate correction is required.

The present amendment furnishes the corrections on page 7 of the specification.

The Office Action refers to Claim Objections.

Claims 1-2 stand objected to because of the following informalities: both the claims should be preceded by an article such that the claims read "A method of" or "The method of". Furthermore, in claim 1, the numerical notation of "0,1 to 1,5%" should be corrected to "0.1 to 1.5%". Appropriate correction is required.

The objected fractional amounts in claim 1 have been corrected.

The Office Action refers to Claim Rejections - 35 USC § 112.

Claim 1 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 is drawn to a method of obtaining collagen from skins of salmon like fish. The "salmon like fish" is the genus and encompasses a multitude of fish that can be "salmon like." It is evident from the disclosure Applicants are not in possession of all salmon like fish. Rather, Applicants have only disclosed three salmonidae fish species - the Polish salmon, Norwegian salmon, and Tolpyga (specification p. 5).

Applicant is amending claim 1 to now refer to "a fish of the family of salmonidae.". Applicant is of the opinion that the family of salmonidae is well covered by the three examples set forth in the specification. Applicant is clearly in possession of the fish of the salmonidae family.

Claims 1-2 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Regarding claim 1, the phrase "like" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

The present amendment amends claim 1 to overcome the alleged indefiniteness.

Claim 2 recites biological activity. The claim is indefinite because it is unclear what Applicants mean by the biological activity of salmon like collagen. There is no explanation or clear definition of this activity provided in the claim.

Claim 2 is being amended to recite the biological activity of an extracellular protein.

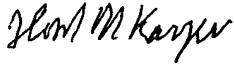
Claims 1-2 appear to be free of the art.

Applicant very much appreciates the finding of subject matter defining over the state of the art.

Reconsideration of all outstanding rejections is respectfully requested.

Entry of the present response is respectfully requested. All claims as submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,
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